



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

SUBDIVISION REVIEW BOARD

*Promoting the wise use of land
Helping build great communities*

MEETING DATE September 12, 2005	CONTACT/PHONE Marsha Lee 788-2008	APPLICANT Union Pacific Railroad	FILE NO. SUB2004-00350 PL05-0059
SUBJECT A request by Union Pacific Railroad to create a 1.48 acres/ 1.38 acres net (Parcel 1) lot, of an existing 3.14 acre site. The remaining public lot, Parcel 2, in public ownership (Union Pacific Railroad) will be 1.76 acres in size. The proposed project is in the Commercial Retail land use category and is located on Front Street, at the intersection with Beach Street, in the community of Oceano. The site is in the San Luis Bay inland Planning Area.			
RECOMMENDED ACTION Approve Public Lot PL05-0059 based on the findings listed in Exhibit A.			
ENVIRONMENTAL DETERMINATION A Class 5 categorical exemption ED05-057 was issued on August 5, 2005			
LAND USE CATEGORY Commercial Retail	COMBINING DESIGNATION Airport Review	ASSESSOR PARCEL NUMBER 062-118-001	SUPERVISOR DISTRICT(S) 5
PLANNING AREA STANDARDS: none			
LAND USE ORDINANCE STANDARDS: none			
EXISTING USES: packing shed and office			
SURROUNDING LAND USE CATEGORIES AND USES: North: Commercial Service/Commercial East: Commerical Service/Commercial South: Railroad and Front Street West: Industrial/Industrial			
<small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242</small>			

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OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Oceano Halcyon Community Advisory Group, Public Works, CalTrans, Assessor, OCSD	
TOPOGRAPHY: nearly level	VEGETATION: ornamental
PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Community sewage disposal system Fire Protection: Oceano CSD	ACCEPTANCE DATE: August 5,2005

ORDINANCE COMPLIANCE:

The applicant is proposing to create 2 parcels as follows:

EXISTING LOT SIZES (ACRES)	NEW PARCEL SIZES (ACRES)
3.14 acres	Parcel 1 -1.48 gross acres; 1.38 acres net
	Public Lot Parcel 2 – 1.76 acres gross

Section 21.02.010 (9) of the Real Property Division Ordinance states land conveyed to or from a governmental agency, public entity or public utility, or to a subsidiary of a public utility for conveyance to such public utility for rights-of-way, unless the planning director determines on the basis of substantial evidence that public policy necessitates a parcel map.

Union Pacific Railroad is a public utility and therefore a Parcel Map is not required. The Public Lot process is applied. The public lot, Parcel 2 size is 1.76 acres created by the proposed project. Parcel 1 will contain 1.48 acres (1.38 acres net). The current uses on site are packing shed and office.

PUBLIC WORKS COMMENTS

Easements outlined in title report not shown. The 10 foot offer along Front Street is not shown and the applicant should re-offer it.

OCEANO HALCYON COMMUNITY ADVISORY COMMITTEE COMMENTS

The OHAC recommended approval with the following comments: preserve trees, provide erosion control/drainage plan with any development. No development is proposed for this project.

LEGAL LOT STATUS:

The lot was legally created by parcel map CO 93-0093, at a time when that was a legal method of creating lots.

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FINDINGS - EXHIBIT A

- A. Union Pacific Railroad is a public utility.
- B. The creation and sale of the parcel(s) will not affect adjacent properties in an adverse manner.
- C. No evidence has been presented that would necessitate the filing of a tentative map.
- D. Approval of this public lot exemption is granted only for the specified parcel(s).
- E. Any subsequent modification of the resulting parcels, or any future sale, lease or separate financing of the property contrary to this approval shall require a new public lot or tentative map application in compliance with the Subdivision Map Act and local ordinances then in effect.
- F. This approval is effective for a period of two years from the date of Subdivision Review Board confirmation. Evidence must be submitted to show recordation of the required Certificate of Compliance and transfer of the property, and the 10 feet along Front Street needs to be re-offered to the County of San Luis Obispo within that time period.
- G. The applicant shall offer for dedication to the public by separate document 10 feet along Front Street.

Staff report prepared by Marsha Lee and reviewed by Kami Griffin



MJL 1-4 8
SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

MAY - 9 2005

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE:

5/6/05

FROM

PW

FROM
TG

South Co. Team

(Please direct response to the above)

PL 05-0000

Union Pacific RR / Public Lot

SUB 2004-00350

Project Name and Number

Development Review Section (Phone:

788-2009)

*OR ASK THE SWITCH-
(BOARD FOR THE PLANNED)

PROJECT DESCRIPTION:

Public Lot → Create 1.38 acres of
1.76 acres → parcels combined size - 3.14 acres Located
in Oceano on Front St. APN: 062-118-001
Outside LCP (close)

Return this letter with your comments attached no later than:

5/21/05

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES
☐ NO

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO
☐ YES

(Please go on to Part III)

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE

WHAT IS THE PL NUMBER? PL 05-0000 IS SHOWN ABOVE AND ON LOWER RIGHT
CORNER OF MAP, TOP CENTER OF MAP STATES PL 05-0059, TIDEMARK 352
PL 05-0000, I TEND TO BELIEVE PLOS-0059 IS GENERALLY IN OUR WORLD "0000"
IS NOTHING. LUE & APN MAPS HAVE WRONG AREA MARKED. EASEMENTS OUTLINED
IN TITLE REPORT NOT SHOWN. 10 ft offset ALONG FRONT STREET NOT SHOWN - THEY SHOULD
RE-OFFSET IT. OTHERWISE RECOMMEND APPROVAL. NEED DRAINAGE PLAN

Date

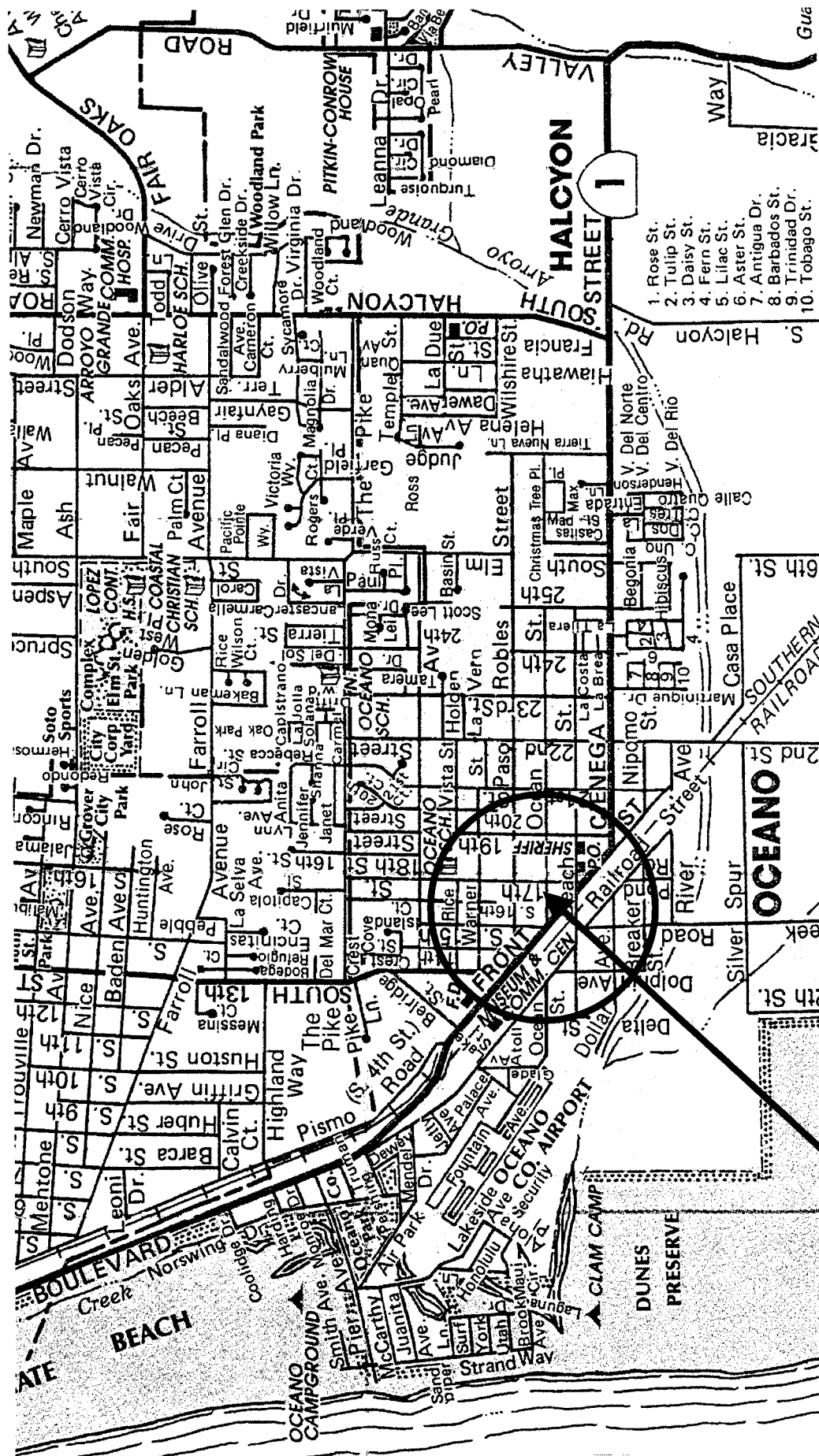
27 May 2005

Name

Goodman

Phone

5252



SITE

EXHIBIT

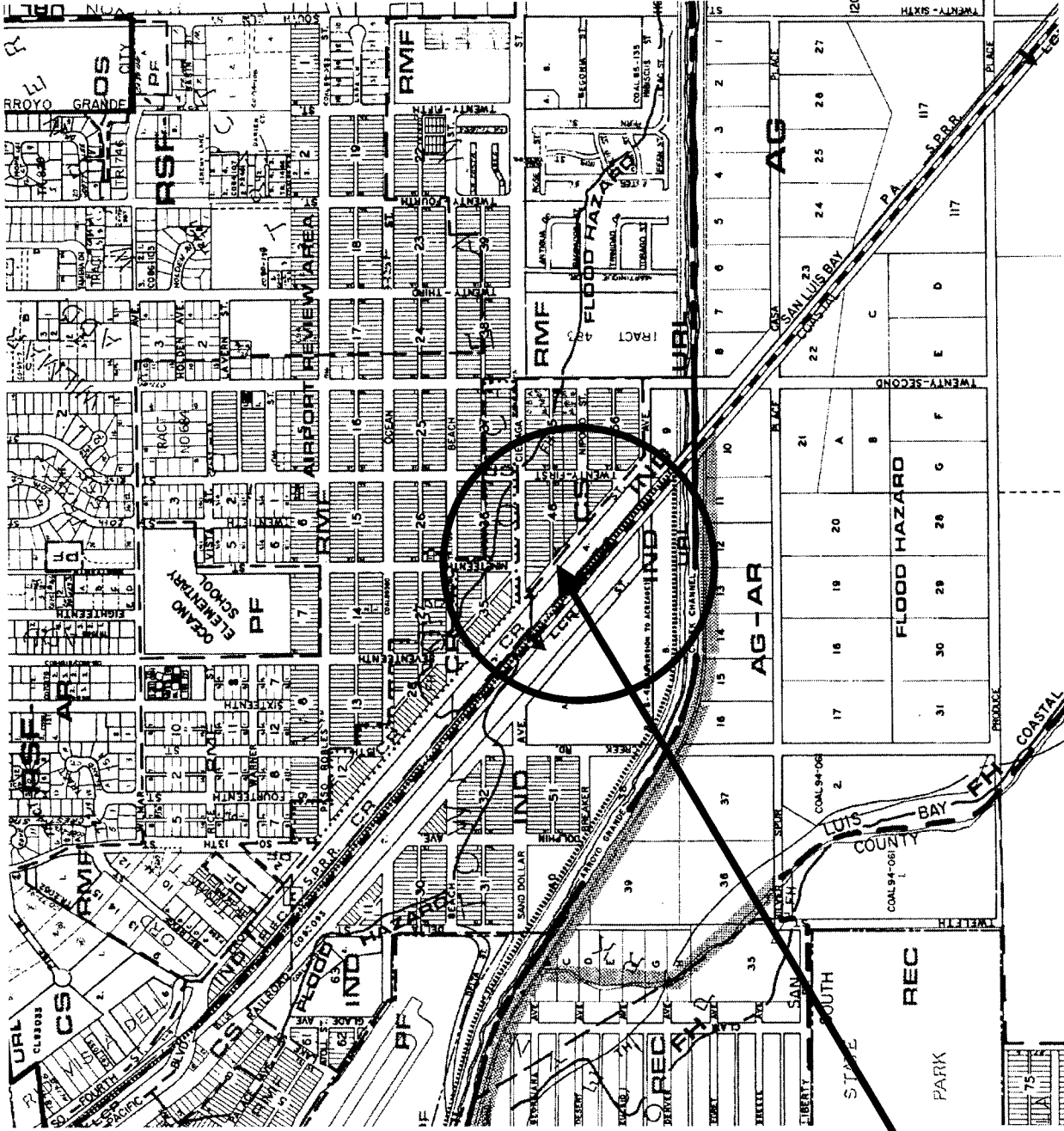


PROJECT

Public Lot PL 05-0059
SUB2004-0000350

Vicinity Map

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



SITE

PROJECT

Public Lot PL 05-0059
SUB2004-0000350



EXHIBIT

Land Use Category



SITE

PROJECT

Public Lot PL 05-0059
SUB2004-0000350

EXHIBIT

Aerial



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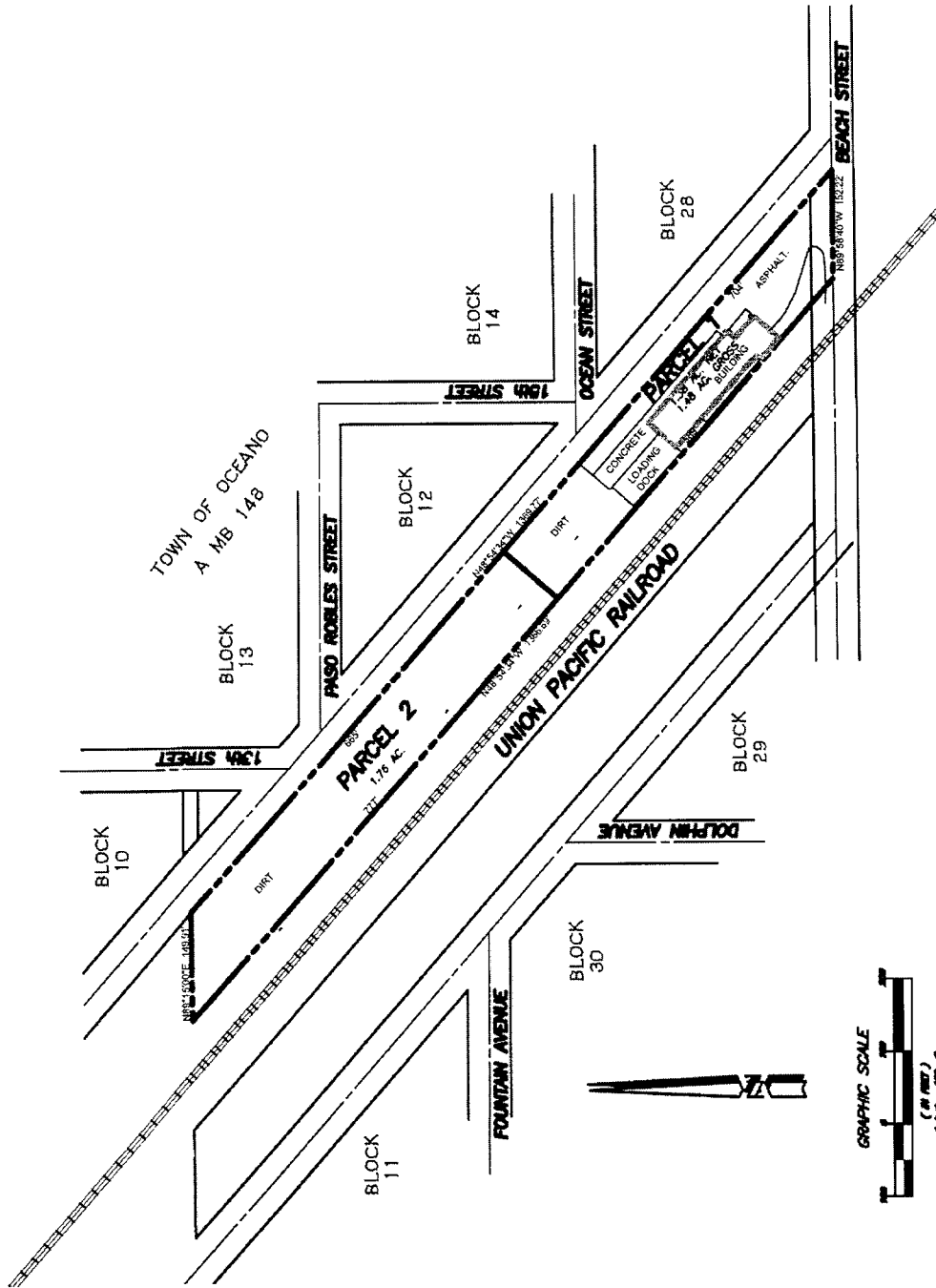


EXHIBIT Site Plan



PROJECT Public Lot pl 05-0059
SUB2004-0000350



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SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE: 5/6/05 *Project Review* PL 05-0000
TO: *File Bill Robinson*
FROM: *South Co. Team* Union Pacific RR / Public Lot
(Please direct response to the above) SUB 2004-00350
Project Name and Number

Development Review Section (Phone: 788-2009) *OR ASK THE SWITCH-
(BOARD FOR THE PLANNERS)

PROJECT DESCRIPTION: *Public Lot -> Create 1.38 acres of
1.76 acres -> parcels combined size - 3.14 acres Located
in Oceano on Front St. APN: 062-118-001
Outside LCP (close)*

Return this letter with your comments attached no later than: 5/21/05

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

____ YES
____ NO

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

____ NO (Please go on to Part III)
____ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE

*ALUC not req'd. since split is under
the "4 or more subdivision" policy which
requires (in most cases) that a larger
subdivision be reviewed.*

BP

Date _____ Name _____ Phone _____

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SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

August 12, 2005

Union Pacific Railroad
1400 Douglas Street
Omaha, Nebraska 68179-1610

SUBJECT: PL 05-0059 - Union Pacific Rail

This is to advise you that the San Luis Obispo Department of Planning and Building has acted on your request for a public lot determination.

On September 12, 2005 the county found that the proposed public lot of land by the Union Pacific Railroad does not necessitate filing of a parcel map. Attached is a copy of the staff report for your information. The Subdivision Review Board will confirm this action on the consent agenda of their next meeting on September 12, 2005. You might want to attend this meeting to answer any questions.

If you don't agree with our determination, you are free to appeal this decision pursuant to Section 21.02.010(a)(9) of the Real Property Division Ordinance. If you have any questions regarding the information requested, please feel free to contact me at 805-788-2008.

Sincerely,

Marsha Lee, Planner III
Development Review

cc. Linda Richardson
EDA
P.O. Box 1829
San Luis Obispo, CA 93406